

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:13-00116

JASON HUDNALL

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On August 5, 2020, the United States of America appeared by Julie M. White, Assistant United States Attorney, and the defendant, Jason Hudnall, appeared in person and by his counsel, Brian D. Yost, for a hearing on the amended petition seeking revocation of supervised release submitted by Senior United States Probation Officer Justin L. Gibson. The defendant commenced a 30-month term of supervised release in this action on May 24, 2019, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on February 22, 2019.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed controlled substances as evidenced by his admission to the probation officer on August 12, 2019, that he used Suboxone on or about August 6 and August 7, 2019; his admission to the probation officer on September 5, 2019, that he used methamphetamine on September 2 and September 3, 2019, and Suboxone every other day from August 12, 2019, to September 5, 2019; his admission to the probation officer on April 15, 2020, that he used marijuana on or about April 13 and April 14, 2020; and a positive urine specimen submitted by him on April 14, 2020, for amphetamine, methamphetamine, and marijuana, which was confirmed by the national testing laboratory on April 22, 2020, the defendant having acknowledged to the probation officer on April 29, 2020, that he used methamphetamine on or about April 13 and April 14, 2020; (2) the defendant failed to notify the probation officer within seventy-two hours of being arrested on March 17, 2020, not notifying the probation officer until April 3, 2020, and after his arrest on May 24, 2020, not notifying the probation officer until June 5, 2020; (3) the defendant failed to report

for individual substance abuse counseling sessions on May 13 and May 29, 2020, as directed by the probation officer; and (4) the defendant failed to successfully complete a residential drug treatment program as directed by the probation officer wherein on October 9, 2019, he transitioned into a long-term residential substance abuse program and was unsuccessfully terminated on December 12, 2019, after failing to submit to a urine screen within the time frame permitted by the program's policy, immediately following which he entered a transitional living home and was unsuccessfully terminated following his arrest on March 17, 2020; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

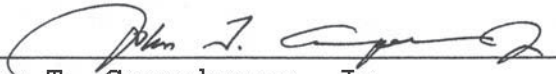
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS, with no further term of supervised release imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 5, 2020



John T. Copenhaver, Jr.
Senior United States District Judge